REMARKS

Claims 17 to 32 are pending in this application. Of these, claims 17 and 28 are independent. Favorable reconsideration and further examination are respectfully requested.

Claims 17 to 32 were rejected under 35 U.S.C. §103 over Acharya (U.S. Patent No. 5,903,559) in view of Burwell (U.S. Patent No. 5,818,842). As shown above, Applicant has amended the claims to define the invention with more clarity. In view of these amendments, withdrawal of the art rejection is respectfully requested.

Amended independent 17 is directed to a method for use in a communication network that supports data frames of a first protocol, where a data frame contains message data and a destination address that corresponds to a receiver. The method is performed in conjunction with a host device and a switching device that are on the communication network. The host device generates data packets from the data frame, where a data packet comprises a portion of the data frame, where the data packet is of a second protocol, and where the data packet comprises the destination address and a first connection identifier that corresponds to the host device. The host device transmits the data packet to the switching device. The switching device receives the data packet, reads the destination address from the received data packet, and selects a second connection identifier for the received data packet based on the destination address, where the second connection identifier corresponds to the receiver. The switching device generates a new data packet from the received data packet. The new data packet comprises the second connection identifier and the message data, and the switching device receives data packets generated from the data frame while the new data packet is being generated. The switching

device checks the new data packet for a transmission error using a predetermined error checking technique, where the predetermined error checking technique comprises comparing reference data to the message data. Checking begins while the switching device receives data packets generated from the data frame. The switching device also transmits the new data packet to the receiver if the new data packet does not contain a transmission error.

The applied art is not understood to disclose or to suggest the foregoing features of claim 17. In particular, neither Acharya nor Burwell are understood to disclose or to suggest that the switching device receives data packets generated from the data frame while the new data packet is being generated, or that error checking begins while the switching device receives data packets generated from the data frame.

In this regard, Acharya was cited for its alleged disclosure of generating new data packets prior to receipt of all data packets from a data frame. In particular, it was said on pages 8 and 9 of the Office Action that "subsequent" data packets are flushed from memory and bypass router 525. As such, these subsequent data packets are never received by router 525 and, therefore, "all data packets for a particular VC are not received prior to successful IP processing and forwarding of received data packets". In view of this interpretation of Acharya, Applicant has amended claim 17 to clarify that the switching device receives data packets generated from the data frame while the new data packet is being generated. As indicated in Acharya, column 7, lines 21 to 25, an output port is decided by router 525 based on a first packet (see also column 7, line 54). Thus, to the extent that router 525 even generates a new data packet, router 525 does not do so while receiving data packets generated from the data frame.

Furthermore, it was admitted, on page 4 of the Office Action that Acharya does not disclose checking message data for errors. Burwell was cited for its alleged disclosure of this feature. Burwell, however, does not disclose or suggest that error checking begins while a switching device receives data packets generated from a data frame.

For at least the foregoing reasons, claim 17 is believed to be patentable over the art. Amended independent claim 28 roughly corresponds to claim 17 and, therefore, is believed to be allowable for at least the same reasons noted above with respect to claim 17.

Each of the dependent claims is also believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement or concession of that rejection, issue or comment. In addition, because of the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at (617) 521-7896.

Please apply any fees or credits due in this case to Deposit Account 06-1050, referencing Attorney Docket No. 12758-056US1.

Respectfully submitted,

Date: February 15, 2005

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